

**IN THE CLAIMS**

Please amend the claims as follows.

1. (Currently Amended) A method, comprising:

determining at least one presence rule, wherein the presence rule comprises a condition and a state;

the condition is based on a location of the mobile device;

determining whether the condition is met; ~~and~~

the location is determined using a hotspot with which the mobile device communicates;

and

when the condition is met, updating presence information for a mobile device with the state.

2. (Original) The method of claim 1, wherein the condition is based on time.

3. (Canceled)

4. (Original) The method of claim 3, wherein the location is determined using a Global Positioning System.

5. (Original) The method of claim 3, wherein the location is determined using a cell-based radio network.

6. (Canceled)

7. (Currently Amended) A server, comprising:

presence information; and

a controller to determine a presence rule for a mobile device, wherein the presence rule comprises a condition, the condition is based on a location of the mobile device, and a

corresponding state, using a hotspot with which the mobile device communicates, and to update the presence information with the corresponding state when the condition is met.

8. (Original) The server of claim 7, wherein the condition is based on a calendar.

9. (Original) The server of claim 7, wherein the controller is to determine the location of the mobile device.

10. (Original) The server of claim 9, wherein the condition is based on the location.

11. (Original) The server of claim 7, wherein the server further uses the presence information in an instant-messaging system.

12. (Currently Amended) A mobile device, comprising:

a controller to determine a location of the mobile device using a hotspot with which the mobile device communicates, to update presence information based on the location, and to send the presence information to a server.

13. (Original) The mobile device of claim 12, wherein the controller further is to update the presence information based on a condition and a corresponding state, wherein the condition comprises the location.

14. (Original) The mobile device of claim 13, wherein the controller is further to update the presence information with the corresponding state when the condition is met.

15. (Original) The mobile device of claim 12, wherein the presence information comprises reachability information.

16. (Original) The mobile device of claim 15, wherein the reachability information comprises an identification of an instant-messaging system to which the mobile device is connected.

17. (Original) The mobile device of claim 15, wherein the reachability information comprises an identification of a cellular network to which the mobile device is connected.

18. (Currently Amended) A signal-bearing medium comprising instructions, wherein the instructions when read and executed by a processor comprise:

determining a presence rule for a mobile device, wherein the presence rule comprises a condition and a corresponding state, the condition is based on a location of the mobile device;  
determining when the condition is met; ~~and~~  
using a hotspot with which the mobile device communicates; and  
sending the corresponding state to a presence server when the condition is met.

19. (Original) The signal-bearing medium of claim 18, wherein determining the presence rule further comprises querying a user of the mobile device for the presence rule.

20. (Original) The signal-bearing medium of claim 18, wherein determining the presence rule further comprises loading the presence rule from a server.

21. (Original) The signal-bearing medium of claim 20, wherein the corresponding state is selected from a group consisting of available, not available, busy, and do not disturb.

22. (Currently Amended) An apparatus, comprising:

a presence server, comprising:

presence information,  
a location database comprising locations of a plurality of mobile devices, and  
a controller to find the locations of the plurality of mobile devices from hotspot-access points to which the mobile devices are connected, to determine a plurality of presence rules for the plurality of mobile devices, wherein each of the presence rules comprises respective conditions and respective corresponding states, and to update the

presence information with the respective corresponding states when the respective conditions are met.

23. (Original) The apparatus of claim 22, wherein the controller is further to obtain the locations from the mobile devices.

24. (Canceled)

25. (Original) The apparatus of claim 22, wherein the location database further comprises a mapping of coordinates to locations of the plurality of mobile devices.

26. (Original) The apparatus of claim 22, wherein the presence information further comprises reachability information for the mobile device.

27. (Original) The apparatus of claim 22, further comprising the plurality of mobile devices.